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|---|---|---|
| FORM PTO-1390<br>(REV 11-98)  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br><b>723-835</b>                                  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  |   | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><br><b>09/509,021</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/US99/26460</b>  | INTERNATIONAL FILING DATE<br><b>10 November 1999</b>    | PRIORITY DATE CLAIMED<br><b>13 November 1998 and 10 February 1999</b>       |
| TITLE OF INVENTION<br><b>METHOD AND APPARATUS FOR VERIFYING PRODUCT SALE TRANSACTIONS AND PROCESSING PRODUCT RETURNS</b>  |   |   |
| APPLICANT(S) FOR DO/EO/US<br><br><b>JUNGER</b>  |   |   |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</li> <li>A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11. To 16. Below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A FIRST preliminary amendment.<br/><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> Other items or information.</li> </ol> |   |   |

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| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)<br><b>09/509,021</b>   |                     | INTERNATIONAL APPLICATION NO.<br><b>PCT/US99/26460</b> |             | ATTORNEY'S DOCKET NUMBER<br><b>723-835</b> |             |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:   |                     |  |             | <b>CALCULATIONS</b> PTO USE ONLY           |             |
| <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b><br>-- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....\$970.00<br>-- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$840.00<br>-- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO .....\$690.00<br>-- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$670.00<br>-- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....\$96.00<br><br><div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)). <b>Previously paid on 3/21/99</b> |                     |  |             | \$   | 0.00        |
|   |                     |  |             | \$   | 0.00        |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b>                                    | <b>RATE</b> |  |             |
| Total Claims  | 47                  | -47 =  | 0           | X  | \$18.00     |
| Independent Claims  | 6                   | -6 =   | 0           | X  | \$78.00     |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable)  |                     |  |             |  | \$260.00    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |  |             | \$   | <b>0.00</b> |
| Reduction by ½ for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 C.F.R. 1.9, 1.27, 1.28).   |                     |  |             |  | 0.00        |
| <b>SUBTOTAL =</b>   |                     |  |             | \$   | <b>0.00</b> |
| Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).  |                     |  |             |  | 0.00        |
| <b>TOTAL NATIONAL FEE =</b>   |                     |  |             | \$   | <b>0.00</b> |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). <b>\$40.00</b> per property   |                     |  |             | +  | \$ 0.00     |
| Fee for Petition to Revive Unintentionally Abandoned Application (\$1210.00 – Small Entity = \$605.00)  |                     |  |             |  | \$ 0.00     |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |  |             | \$   | <b>0.00</b> |
|   |                     |  |             | Amount to be:                              |             |
|   |                     |  |             | refunded                                   | \$          |
|   |                     |  |             | Charged                                    | \$          |

a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.

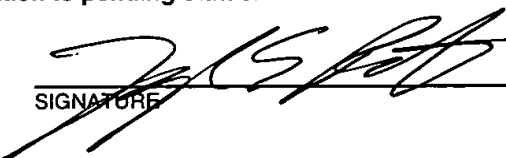
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☐ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

NIXON & VANDERHYE P.C.  
1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201  
Telephone: (703) 816-4000

  
\_\_\_\_\_  
SIGNATURE  
  
**Joseph S. Presta**  
NAME

**35,329**  
REGISTRATION NUMBER

**July 25, 2000**  
Date

|   |  |   |
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|--|---------------|--------------|--------------|------|----------------|--|--------------|----|-------|---|---|---------|--------------------|---|------|---|---|---------|--|--|--|--|--|----------|--------------------------------------|--|--|--|--|----------------|--|---------------|--|--|----------|----|--|---------|----|----------------------------------|
| CLAIMS   | NUMBER FILED  | NUMBER EXTRA | RATE         |      |                |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
| Total Claims   | 47            | -47 =        | 0            | X    | \$18.00        |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
| Independent Claims   | 6             | -6 =         | 0            | X    | \$78.00        |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable)   |               |              |              |      | \$260.00       |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |               |              |              |      | <b>\$ 0.00</b> |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
|  | Amount to be: |              |              |      |                |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
|  | refunded      | \$           |              |      |                |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |
|  | Charged       | \$           |              |      |                |  |              |    |       |   |   |         |                    |   |      |   |   |         |  |  |  |  |  |          |                                      |  |  |  |  |                |  |               |  |  |          |    |  |         |    |                                  |

a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☐ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

NIXON & VANDERHYE P.C.  
 1100 North Glebe Road, 8<sup>th</sup> Floor  
 Arlington, Virginia 22201  
 Telephone: (703) 816-4000

SIGNATURE  
  
**Joseph S. Presta**  
 NAME

|                                      |                              |
|--------------------------------------|------------------------------|
| <b>35,329</b><br>REGISTRATION NUMBER | <b>July 25, 2000</b><br>Date |
|--------------------------------------|------------------------------|



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

09/509,021

JUNGER

P

723-835

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. Docket NO.

5071

PCT/US99/26460

INTERNATIONAL APPLICATION NO.

NIXON & VANDERHYE  
1100 NORTH GLEBE ROAD  
8TH FLOOR  
ARLINGTON VA 22201

I.A. FILING DATE 11/10/99 PRIORITY DATE 11/13/98

DATE MAILED: 06/27/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),  
☐ an Elected Office (37 CFR 1.495):

DOCKETED

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.  
☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

CLT/MATTER # 723-835  
MAIL DATE 6-27-00  
DUE DATE July 27, 2000  
FINAL DEADLINE Oct 27, 2000  
DOCKETED BY P.M. / M.S.

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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